

CITY OF LANESBORO

ORDINANCE NO. 13A

AN ORDINANCE SECURING PAYMENT OF UTILITY CHARGES, PROVIDING FOR OWNER-CUSTOMER RESPONSIBILITY, CUSTOMER DEPOSITS, PENALTY FOR LATE PAYMENTS, SHUT-OFF FOR NON-PAYMENT, AND COLLECTION WITH TAXES

The City of Lanesboro ordains:

1. PROVISIONS ON APPLICATION AND OWNER-CUSTOMER RESPONSIBILITY.

SECTION 1. Applications for Service.

Subdivision 1. Procedure. Application for a utility service installation and for utility service shall be made to the City Clerk on forms prescribed by the City Clerk and furnished by the City. By his or her signature, the applicant shall agree to conform to this ordinance and to rules and regulations that may be established by the City as conditions for use of the utilities. Utilities include water, electricity, sewer, and garbage service.

SECTION 2. Accounts in Name of Owner. All accounts for utility service shall be carried in the name of the owner of the property served by the utility. The owner or authorized agent, such as the owner's tenant, shall apply for such service. In the event the premises are occupied by a tenant, the billing shall be mailed to the tenant for payment. However, the owner and tenant of the property shall be jointly and severally liable for any utility supplied to the property, and the owner is so liable whether or not he or she is occupying the property. Any charges unpaid for water or sewer service shall be a lien on the property.

2. PROVISION ON DEPOSITS.

SECTION 1. Deposit. At the time of filing an application for water service, any applicant who has not during his or her last previous period of utilities service from the City had a record of payment of all his utility bills for the most recent 12-month period before they have become delinquent shall

pay a deposit. The deposit shall be \$150.00 if the applicant has been delinquent in any or all utilities with the City of Lanesboro. A deposit for applicants without a prior history of utility usage in the City of Lanesboro may also be required, in an amount up to \$150.00, as the City may determine in its discretion. Deposits shall bear interest at the rate of six percent (6%) from the date of deposit to the date of refund. If the customer is delinquent in his or her utility accounts, his or her deposit shall be applied on the delinquent accounts and an additional deposit shall be required to bring the deposit up to the amount originally required.

3. PROVISIONS ON DISCOUNTS OR PENALTIES.

SECTION 1. Payment. Statements for total water and sewer charges for the preceding monthly period shall be mailed by the City Clerk to each customer on or before the 10th day of each month. The amount listed on the statement shall be due on or before the 20th day of the month following the monthly period covered by such statement. If payment is not made by that time, the customer shall be obligated to pay an additional ten percent (10%) of the total bill.

4. PROVISION FOR SHUT-OFF FOR NON-PAYMENT.

SECTION 1. Shut-Off For Non-Payment.

Subdivision 1. The City shall endeavor to collect delinquent accounts promptly. In any case where satisfactory arrangements for payment have not been made, the Utilities Department may, after the procedural requirements of Subdivision 2 have been complied with, discontinue service to the delinquent customer by shutting off the utilities subject to the delinquency. When utility service to any premises has been discontinued, service shall not be restored except upon the payment of all delinquent amounts plus a fee for disconnection and reconnection of \$50.00.

Subdivision 2. Procedure. Utilities shall not be shut off under Subdivision 1 until notice and an opportunity for a hearing have first been given the occupant of the premises involved. The notice shall be personally served and shall state that if payment is not made before a date stated in the notice but not less than fourteen (14) days after the date on which the notice is given, the utilities subject to the delinquency, and regarding the premises, will be shut off. The notice shall clearly inform the customer of the available opportunities to present to the City the customer's objections to the bill, and shall identify the telephone number, address, and officer or employee who will handle the customer's complaint and who has the authority to review the facts and files, to correct any errors in the billing and to arrange for credit terms. The notice shall also state that the occupant may before such date demand a hearing on the matter, in which case the supply will not be cut off until after the hearing is held. If the customer requests a hearing for the date specified, a hearing shall be held on the matter by the Utilities Commission within (1) week after the date on which the request is made. If as a result of the hearing, the Utilities Commission finds that the amount claimed to be owing is actually due and unpaid and that there is no legal reason why the utilities of the delinquent customer may not be shut off in accordance with this ordinance, the City may shut off or discontinue said utility.

5. PROVISION FOR COLLECTION WITH TAXES.

SECTION 1. Collection With Taxes. Delinquent water, sewer, and garbage accounts, shall be certified to the City Clerk who shall prepare an assessment roll each year providing for assessment of the delinquent amounts against the respective properties served. The assessment roll shall be delivered to the Council for adoption on or before October 1st of each year. Upon

such adoption, the clerk shall certify the assessment roll to the council or its auditor for collection along with the taxes.

6. PROVISION FOR EFFECTIVE DATE.

SECTION 1. Effective Date. This ordinance is effective upon its passage and publication.

Passed by the City Council this 26 day of Aug, 1991.

Vernon W. Groen

Vernon Groen, Mayor

(SEAL)

Attested:

Orrin L. Olson

Orrin L. Olson, City Clerk/Administrator

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Affidavit behind this page
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